



**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

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§
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§
§

VS.

CASE NO. 9:09-CR-34

OSCAR SEPULVEDA-HERRERA

§

**MEMORANDUM ORDER
ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his *Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge* [Clerk's doc. #23]. The Magistrate Judge recommended that the Court accept Defendant's guilty plea and conditionally accept the plea agreement. He further recommended that the Court finally adjudge Defendant as guilty on **Count I** of the **Indictment** filed against Defendant in this cause.

The parties have not objected to the magistrate judge's findings. The Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is, therefore,

ORDERED that the *Findings of Fact and Recommendation on Guilty Plea* [Clerk's doc. #23] of the United States Magistrate Judge are **ADOPTED**. The plea agreement is conditionally accepted by the Court at this time. It is further **ORDERED** that, in accordance with Defendant's guilty plea and the magistrate judge's findings and recommendation, Defendant, Oscar Sepulveda-Herrera, is hereby adjudged as guilty on **Count I** of the charging **Indictment** charging violation of Title 8, United States Code, Section 1326(a).

So **ORDERED** and **SIGNED** this **18** day of **February, 2010**.



Ron Clark, United States District Judge